IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1587 OF 2003
IN
SUIT NO.785 OF 1991

Priya Indu Advani ....Plaintiff

V/s.

United Health Care Ltd. ....Defendant

And

Madhava Commercial Premises
Co-operative Society. ....Respondent
....Intervener

Mrs.Sweta Doshi for the Applicant/Respondent in support of the Chamber Summons.

Mrs.S. Rane i/b Ashwin Ankhad & Associates for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 1ST SEPTEMBER, 2004.

P.C. :

1. By the orders dated 7th December, 1993 and 2nd March, 1994, the Defendant was restrained from disposing of, alienating, encumbering etc. the suit flat. The suit is for specific performance of an agreement in respect of the suit flat.

2. The Society is not a necessary party to this suit. It is however, obvious that grant of injunction does not absolve the Defendants of its liability to pay all outgoings of the society.

3. The arrears of outgoings of the society shall be paid within three months from today. The future payment of outgoings shall be made as demanded by the society but subject to the rights and contentions of the parties. The society shall issue the bills and receipts in the name of the Defendant. The same however, shall not confer any rights in favour of any of the parties. This is only for convenience of payment. Subject to the above, the Chamber Summons is accordingly disposed of.

. Parties to act on an ordinary copy of this order duly authenticated by the Chamber Registrar / Court Stenographer of this Court.